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MUTUAL PHARMACEUTICAL COMPANY, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOSIE C. KO,

Plaintiff,

vs.

MUTUAL PHARMACEUTICAL
COMPANY, INC.,

Defendant.

No. CV 13-0890 RMW

Assigned to the Honorable Ronald M.
Whyte

**STIPULATION AND ~~PROPOSED~~
ORDER RELATING TO CHANGE
OF HEARING DATE ON
DEFENDANT MUTUAL
PHARMACEUTICAL COMPANY,
INC.'S MOTION TO DISMISS,
AND DEADLINES FOR INITIAL
DISCLOSURES, REPORTS AND
ADR**

[L.R. 7-12]

STIPULATION

On March 6, 2013, Defendant Mutual Pharmaceutical Company, Inc. ("Mutual") filed its Motion to Dismiss. On March 7, 2013, this Court entered a Reassignment Order which assigned this action to the Honorable Ronald M. Whyte and vacated all previously scheduled dates. On March 8, 2013, Mutual filed its Amended Notice of Motion to Dismiss, reflecting the hearing date of April 19, 2013.

On or about March 15, 2013, the Court re-set the initial Case Management Conference to June 7, 2013 at 10:30 a.m. in Courtroom 6 and the deadline for filing a Joint Case Management Conference Statement to May 31, 2013. On March 19, 2013, a document entitled, "REQUESTING MORE TIME TO RESPOND TO DEFENDANT'S MOTION TO DISMISS" by plaintiff Josie C. Ko (in pro per) was filed. On or about March 29, 2013, the Court entered an Order granting plaintiff more time to file her opposition, to April 19, 2013, and moving the hearing and reply date. Pursuant to that Order, the hearing on Mutual's Motion to Dismiss was re-set to May 17, 2013. Mutual's deadline to file its reply was re-set to April 26, 2013.

The parties hereby stipulate to the following re-setting of the May 17, 2013 hearing date on Mutual's Motion to Dismiss, the initial Case Management Conference and deadline for filing the Joint Case Management Statement, and other adjustments to deadlines, as set forth in the previous orders in this action.

The hearing date on Mutual's Motion to Dismiss is moved from May 17, 2013 to **June 21, 2013** at **9:00 a.m.** in Courtroom 6, located at 4th Floor, at 280 South 1st Street, San Jose, California 95113. There are no changes to the briefing schedule associated with Mutual's Motion to Dismiss.

The Case Management Conference is moved from June 7, 2013 to **July 26, 2013** at **10:30 a.m.** in Courtroom 6, located at 4th Floor, at 280 South 1st Street, San Jose, California 95113. The deadline for the parties to file the Joint Case Management Statement is moved from May 31, 2013 to **July 19, 2013**.

The last day for the parties to perform the following is hereby adjusted

1 from the previously scheduled dates to these new dates, as follows:

2 (1) **July 5, 2013**: The new deadline for the parties to (i) meet and confer
3 regarding initial disclosures, early settlement, ADR process selection, and discovery
4 plan [Fed.R.Civ.P. 26(f) & ADR L.R. 3-5]; (ii) file the ADR Certification signed by
5 Parties and Counsel, as applicable [Civ. L.R. 16-8(b) & ADR L.R. 3-5(b)]; and (iii) file
6 either Stipulation to ADR Process or Notice of Need for ADR Phone Conference [Civ.
7 L.R. 16-8(c) & ADR L.R. 3-5(b) & (c)].

8 (2) **July 19, 2013**: The new last day for the parties to file a Rule 26(f)
9 Report, complete initial disclosures or state objection in Rule 26(f) Report, and file the
10 Joint Case Management Statement per the Court's Standing Order re Contents of Joint
11 Case Management Statement.

12 IT IS SO STIPULATED.

13 Dated: April 29, 2013

HASSARD BONNINGTON LLP

14
15 By /s/ Thomas M. Frieder
16 Thomas M. Frieder
17 Attorneys for Defendant
Mutual Pharmaceutical Company, Inc.

18 Dated: April 25, 2013

PLAINTIFF JOSIE C. KO (IN PRO PER)

19
20 By Josie C. Ko
21 Josie C. Ko
22 Plaintiff (In Pro Per)

23 **ORDER**

24 PURSUANT TO STIPULATION, IT IS SO ORDERED:

25 DATED: 1 DEH
26

27 Ronald M. Whyte
28 UNITED STATES DISTRICT JUDGE